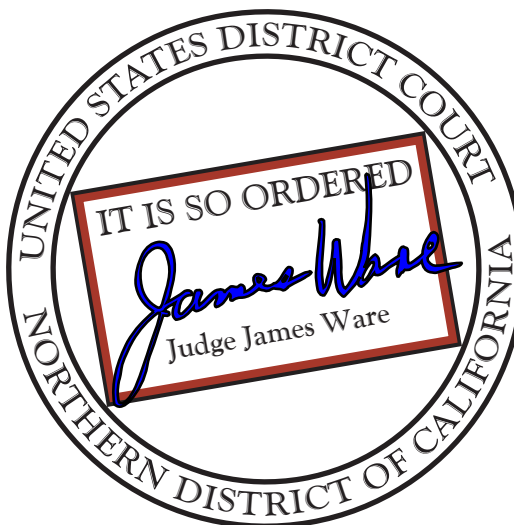


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IN THE UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

JAMES BATES et al. acting for themselves )  
 and others similarly situated, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 )  
 )  
 COUNTY OF SANTA CRUZ, )  
 )  
 Defendant. )  
 )  
 )

Case No.: 5:08-cv-00557-JW

**STIPULATION AND [Proposed]  
 ORDER RE: SENDING NOTICE OF  
 ACTION**

WHEREAS, on January 25, 2008 plaintiff James Bates filed this lawsuit in the Northern District of California. The lawsuit has been pled as a collective-action, and as of the date below, approximately seventy-six (76) additional individuals have filed consents to be included as plaintiffs.

WHEREAS, Plaintiffs intend to file a motion requesting facilitated notice to similarly

1 situated employees pursuant to *Hoffman-Laroche Inc. v. Sperling*, 493 U.S. 165 (1989). If granted,  
 2 there may be additional individuals who file consents to be included as individual plaintiffs.

3 NOW THEREFORE, the following is hereby stipulated and agreed upon by the parties to  
 4 the above-entitled action and by their respective counsel:

5 1. Defendant will provide to Plaintiffs the names and last known addresses of all  
 6 Corrections Officers, Supervising Corrections Officers and Corrections Sergeants employed by  
 7 Defendant at any time from January 25, 2005 until the present. The parties agree that for purposes  
 8 of this Notice of action only, the individuals identified above may be similarly situated to the  
 9 existing plaintiffs. 29 U.S.C. § 216(b).

10 2. The parties further agree that this stipulation is for notice purposes only, and does not  
 11 and will not constitute an admission by Defendant with regard to any issue in this case, including  
 12 whether the individuals identified above or the existing plaintiffs are similarly situated.

13 3. The parties agree to the form and content of the proposed Notice, attached hereto as  
 14 Exhibit "A".

15 4. The parties agree that the attached Notice shall be sent to the persons identified above  
 16 by first class mail with no additional materials or attachments included in the mailing.

17 5. The parties also agree that Defendant's counsel will promptly produce the  
 18 information described in paragraph 1 above and Plaintiffs' counsel will promptly serve the persons  
 19 identified above upon receipt from Defendant of that information.

20  
 21 Dated: August 7, 2008

**MASTAGNI, HOLSTEDT, AMICK,  
 MILLER, JOHNSEN & UHRHAMMER**

23 By: /s/ David E. Mastagni  
 24 DAVID E. MASTAGNI  
 25 Attorney for Plaintiffs.

26 Dated: August 7, 2008

**DANA McRAE, COUNTY COUNSEL**

27 By: /s/ Betsy L. Allen  
 28 BETSY L. ALLEN  
 Assistant County Counsel  
 Attorneys for Defendants


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STIPULATION AND [PROPOSED] ORDER RE: SENDING NOTICE OF ACTION

1 ~~Proposed~~ Order

2 The stipulation and ~~proposed~~ Order re Sending Notice of Action to “Similarly Situated”  
3  
4 Individuals is hereby adopted by the Court as the Order of this Court and the parties are ordered to  
5 comply with this Order.

6 Dated: August 19, 2008

7   
Hon. James Ware